

REMARKS

This paper responds to the Office Action mailed on November 2, 2004.

Claims 61, 65, 69, 73, 78 and 82 are amended, claims 46, 57-60, 62-64, 66-68, 70-72, 74-77 and 79-81 are canceled, and no claims are added; as a result, claims 47, 61, 65, 69, 73, 78, 82, 83 and 84 are now pending in this application.

Claim Objections

The Examiner indicates on the Summary page that claims 61, 65, 69, 73, and 78 are objected to, but indicated that they would be allowable if rewritten in independent form to include the base claim and any intervening claims. Applicant has amended claims 61, 65, 69, 73, and 78 herein to be in independent form. Claim 82 is believed to be patentable for the same reasons claims 61, 65, 69, 73, and 78 have been indicated to be patentable.

Double Patenting Rejection

Claim 47 was rejected under the judicially created doctrine of obviousness-type double patenting over claim 2 of U.S. Patent No. 6,433,434 in view of Anjum et al. (U.S. 5,401,674).

Claim 47 was provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 46 and 47, respectively, of Serial No. 09/940,917 (published as US 2002/0017724-A1) in view of Anjum et al. (5,401,674).

Applicant does not admit that claim 47 is obvious in view of co-owned Patent No. 6,433,434 or co-pending Application Serial No. 09/940,917 (published as US 2002/0017724-A1). However, a Terminal Disclaimer in compliance with 37 CFR 1.321(b)(iv) is enclosed herewith to obviate these rejections and move the present application to allowance.

§103 Rejection of the Claims

Claim 46 was rejected under 35 USC § 103(a) as being unpatentable over Nakamura et al. (U.S. 5,654,577) in view of Anjum et al. (U.S. 5,401,674). Claim 46 is cancelled without prejudice or waiver of patentable subject matter herein.

Claims 57 and 59 were rejected under 35 USC § 103(a) as being unpatentable over Nakamura et al. (U.S. 5,654,577) in view of Anjum et al. (U.S. 5,401,674). Claims 57 and 59 are cancelled without prejudice or waiver of patentable subject matter herein.

Claim 58 was rejected under 35 USC § 103(a) as being unpatentable over Nakamura et al. (U.S. 5,654,577) in view of Anjum et al. (U.S. 5,401,674). Claim 58 is cancelled without prejudice or waiver of patentable subject matter herein.

Claims 60 and 63 were rejected under 35 USC § 103(a) as being unpatentable over Nakamura et al. (U.S. 5,654,577) in view of Anjum et al. (U.S. 5,401,674). Claims 60 and 63 are cancelled without prejudice or waiver of patentable subject matter herein.

Claim 62 was rejected under 35 USC § 103(a) as being unpatentable over Nakamura et al. (U.S. 5,654,577) in view of Anjum et al. (U.S. 5,401,674) as applied to claim 60 above, and further in view of Honeycutt et al. (U.S. 5,644,166). Claim 62 is cancelled without prejudice or waiver of patentable subject matter herein.

Claim 64 was rejected under 35 USC § 103(a) as being unpatentable over Nakamura et al. (U.S. 5,654,577) in view of Anjum et al. (U.S. 5,401,674). Claim 64 is cancelled without prejudice or waiver of patentable subject matter herein.

Claims 66 and 67 were rejected under 35 USC § 103(a) as being unpatentable over Nakamura et al. (U.S. 5,654,577) in view of Anjum et al. (U.S. 5,401,674) as applied to claim 64 above, and further in view of Honeycutt et al. (U.S. 5,644,166). Claims 66 and 67 are cancelled without prejudice or waiver of patentable subject matter herein.

Claims 68, 70-72, 74-77, and 79-81 were rejected under 35 USC § 103(a) as being unpatentable over Nakamura et al. (U.S. 5,654,577) in view of Anjum et al. (U.S. 5,401,674) and Honeycutt et al. (U.S. 5,644,166). Claims 68, 70-72, 74-77, and 79-81 are cancelled without prejudice or waiver of patentable subject matter herein.

Allowable Subject Matter

Claims 83-84 were indicated to be allowed. Applicant thanks the Examiner for the indication of patentable subject matter.

Claims 61, 65, 69, 73, and 78 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claims 61, 65, 69, 73, 78 and 82 herein to be in independent form. Applicant requests that claims 61, 65, 69, 73, 78 and 82 be passed to issue.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney David Suhl at (508) 865-8211, or the below-signed attorney at (612) 349-9587, to facilitate prosecution of this application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

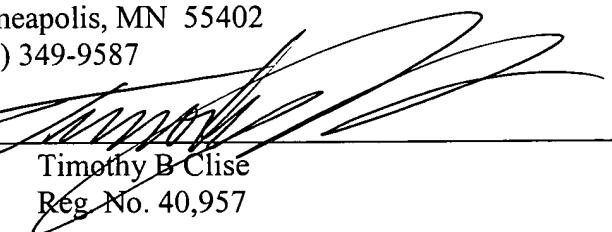
Respectfully submitted,

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Date 3 Jan '05
(Monday)


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 3 day of January 2005.

Tina Kohut
Name

2/1/05
Signature